

REMARKS

The Hall '033 reference does not suggest or motivate the structure recited by the pending claims.

Most prominently, while the pending claims expressly recite the limitation of an exhaust fan, there is no such exhaust fan in the Hall reference. The office action cites Hall element 44 as an exhaust fan. In fact, it is a "straw spreader 44" (see, Column 3, line 7). A straw spreader is not a fan. Even if the straw spreader of the Hall reference were to create any air stream whatsoever, which it does not, the hypothetical air stream would be vertical and neither horizontal nor aligned with the direction of crop throughput.

Just as importantly, the Hall reference does not suggest or motivate a through-gap where crop streams are conveyed in opposite directions. Such a through gap where crop streams are conveyed in opposite directions are expressly recited in the structure of the pending claims. Moreover, the claims expressly recite that the air stream created by the combination of fans is directed through such through gap.

The fan that is disclosed in the Hall reference, 50, does not direct any air above pan 36. Not only is this inherent in the only relevant figure, figure 1, but it is described expressly in column 3 of the Hall reference. "The grain and chaff falling onto the chaffer 47, sieve 49, and chaffer extension 51 of the clean shoe assembly encounters an air stream from fan 50." (see Column 3, lines 12-14). "Cleaning shoe assembly 48" indicates two functional elements, which can only be chaffer 47 and sieve 49, although they are not individually labeled in figure 1. If Hall is considered to disclose a through gap, it must be between a forward end 46 and the forward end of pan 36. All the air stream of fan 50 is expressly disclosed as being at the opposite, rearward end of pan 36. Hence, not only does Hall fail to suggest or motivate an air stream in the through

gap receiving crop flows in opposite in directions, it teaches away from such an air stream by disclosing a device whose only air stream is directed at a complete opposite end of pan 36.

The addition of the Kirby, Bruns and Garner references fails to provide any suggestion of motivation for the structure of the pending claims, either individually or in combination. All of these references are spreaders, like the spreader 44 in the Hall reference. A spreader is not a fan. The fact that a spreader may be driven by a variable speed hydraulic or electric motor, in no way suggests or motivates the selective manipulation of an air stream in a crop flow through gap receiving two crop flows in opposite directions. Moreover, accepting for the sake of argument the proposition that the spreaders act as fans, the spreaders in all three additional references are on vertical axes, thereby all creating vertical air flows, if any, not air flows in line with a crop through-gap, as is structurally recited in the pending claims.

The rejection of claims 7-9 depend on the suggestions and motivations imputed to the above discussed references, and therefore are also not rendered obvious by those references for the reasons stated above. Additionally, regarding claim 8, the Hoskinson '145 reference does not teach that the desired air stream is dependent on crop type. Rather, column 3, line 64-66, teaches only that a control system may have, apparently, a memory relating to crop type. No reference to air stream speed is made. With regard to claim 9, the Hall figure 4A does not suggest or motivate any manipulation of air speed in a crop flow through gap being dependent upon anything, crop moisture content or otherwise.

The structure recited in the claims is supported at p. 5, line 29 (exhaust fan) and p. 6, lines 9-10 (through gap) as well as elsewhere in the present application

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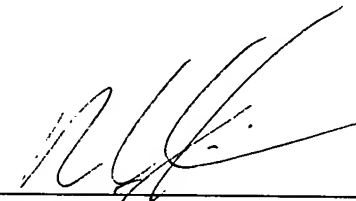
Conclusion

Accordingly, Applicants respectfully submit that independent claims 1, 5 and 7 are allowable over the prior art of record, including the Hall patent. For similar reasons, and for the additional reasons set forth above, Applicants urge that the dependent claims are also allowable.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,



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